Hudson casino would be "detrimental to the surrounding community." The memo, which was addressed to Skibine from the IGMS staff, and stamped "DRAFT," concluded that the proposal would not be "detrimental to the surrounding community" and that IGMS should proceed with an analysis of whether the proposal was in the "best interests" of the applicant tribes. The memo did not address the question of whether the proposal was in the tribes' "best interests." It was later reprinted as a memo to the Assistant Secretary-Indian Affairs from Skibine with some revisions by him, but never signed by him nor put in final form.

Skibine told investigators unequivocally that he agreed with Hartman's conclusion – expressed in the June 8 memo – that the facts of the Hudson application did not support the assertion that the proposed gaming facility would be detrimental to the surrounding community. Thus, while neither Skibine nor Hartman can be said to have recommended approval of the application, both believed the proposed casino was "not detrimental" under the two-part determination of Section 20 of IGRA.

With some exceptions, the June 8 memo incorporated the work product related to the "detriment" analysis created by Hartman, Ramirez and Slagle during their initial analysis of the Hudson casino proposal in Lakewood in January 1995. Hartman's June 8 memo did not include Slagle's previously-stated concerns relating to the potential environmental impact a Hudson casino.<sup>374</sup> Instead, Hartman concluded that environmental issues in the context of the Secretary's determination under Section 20 of IGRA were foreclosed by the final FONSI.<sup>375</sup>

<sup>&</sup>lt;sup>374</sup>In a May 16, 1995, memo requested by Skibine, Slagle reiterated his belief – first expressed in January – that the environmental assessment for the Hudson proposal was deficient.

<sup>&</sup>lt;sup>375</sup>According to Slagle, it was almost routine that he recommended greater environmental (continued...)